

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

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| DARREN L. REAGAN, |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 3:11-CV-00004-M-BF |
| |) | |
| P. KAY PETERSON, Special Agent, |) | |
| FEDERAL BUREAU OF |) | |
| INVESTIGATION, ALAN HAMPTON, |) | |
| Special Agent, Internal Revenue Service - |) | |
| Criminal Investigation, and OTHER |) | |
| UNKNOWN NAMED AGENTS OF THE |) | |
| FBI, |) | |
| Defendants. |) | |

**ORDER ACCEPTING THE FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Paul D. Stickney. Plaintiff filed objections on December 9, 2011, and the District Court has made a *de novo* review of those portions of the proposed Findings, Conclusions, and Recommendation to which objection was made. Except to correct the references to 18 U.S.C. § 1331, which should be to 28 U.S.C. § 1331, the objections are overruled, and the Court accepts the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

Defendants' Motion to Dismiss all *Bivens* claims and potential *Bivens* claims as precluded by CAFRA is denied. Plaintiff's claims for unconstitutional seizure of the Lexus cars against Peterson and Hampton are dismissed with prejudice based upon qualified immunity. Pursuant to the Court's general equity jurisdiction on a motion for return of property and the government's offer to supplement the record, the government shall, within twenty days, supplement the record by making

to Plaintiff and to the Court the disclosures detailed in the United States Magistrate Judge's findings.

Plaintiff is granted thirty days after the record is supplemented to file an Amended Complaint related to what he learns occurred after the vehicles were seized.

SO ORDERED this 22nd day of December, 2011.


BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS